

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	CASE NO. 8:95CR170
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
DARIUS MOSS,)	
)	
Defendant.)	

This matter is before the Court on the Defendant's motion for leave to appeal in forma pauperis (Filing No. 275) and his notice of appeal (Filing No. 274).

On June 4, 1999, the Honorable William G. Cambridge denied Defendant's motion filed under 28 U.S.C. § 2255. On April 18, 2011, Defendant filed a motion to reconsider Judge Cambridge's order arguing that he is entitled to relief under Federal Rule of Civil Procedure 60(b)(4). This Court denied the motion for reconsideration, and June 20, 2011, and Defendant appeals from that order. This matter is "frivolous" within the meaning of 28 U.S.C. § 1915(e)(2)(B)(I), and therefore the Defendant is denied leave to proceed in forma pauperis on appeal.

IT IS ORDERED:

1. The Defendant's motion for leave to appeal in forma pauperis (Filing No. 275) is denied; and
2. The Clerk is directed to mail a copy of this order to the Defendant at his last known address.

DATED this 20th day of June, 2011.

BY THE COURT:

S/Laurie Smith Camp
United States District Judge